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DATE FILED: 8/25/08

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ZIM INTEGRATED SHIPPING SERVICES, LTD.,

PRE-TRIAL ORDER

- against -

07 Civ. 5861 (RMB) (GWG)

BELCO RESOURCES, INC., ET AL.,

-----X  
ZIM INTEGRATED SHIPPING SERVICES, LTD.,  
ET AL.,

- against -

07 Civ. 6500 (RMB) (GWG)

PRODUIMPORT EMPRESA IMPORTADORA Y  
COMMERCIALIZADORA, ET AL.,

-----X  
CARRIBEAN RETAIL VENTURES, INC.,

- against -

07 Civ. 6873 (RMB) (GWG)

ZIM INTEGRATED SHIPPING SERVICES, LTD.,  
ET AL.,

-----X

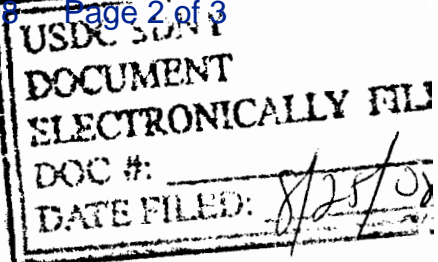
GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

After receipt of a request for extension of time presented jointly by all the parties represented in the above captioned actions, the scheduling order of June 19, 2008, is amended as follows by the Court pursuant to Rule 16(e) of the Federal Rules of Civil Procedure:

1. All non-expert discovery shall be commenced in time to be completed by December 23, 2008.
2. Disclosure of the identities and reports of experts, if any, as required by Rule 26(a)(2)(A) and (B) will be made by December 23, 2008.

The disclosure of identities and reports of any expert intended by an opposing party solely to rebut previously-disclosed expert evidence shall be made by January 19, 2008.

3. Depositions of experts shall be completed by March 23, 2008.
4. No discovery shall take place after March 23, 2008.



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3. Depositions of experts shall be completed by March 23, 2008.

4. No discovery shall take place after March 23, 2008.

5. Any party seeking to file a dispositive pre-trial motion shall so request Judge Berman by letter on or before April 13, 2009.


6. If no party states its intention to file a dispositive pre-trial motion, plaintiff(s) will supply pre-trial order materials to defendant(s) in accordance with the requirements of the rules of the assigned District Judge on or before April 17, 2009. The pre-trial order shall be filed within fifteen (15) days thereafter. If, however, a dispositive motion is served on or before the date in the previous paragraph, the due date of the plaintiff's portion of the pre-trial order materials shall be extended to thirty (30) days following decision on the dispositive motion and the pre-trial order shall be filed within fifteen (15) days thereafter.

7. All discovery (including requests for admission and any applications to the Court with respect to the conduct of discovery) must be initiated in time to be concluded by the deadline for all discovery. Any application for an extension of the time limitations herein must be made as soon as the cause for the extension becomes known to the party making the application. The application also must state the position of all other parties on the proposed extension and must show good cause therefore not foreseeable as of the date of this Order. "Good cause" as used in this paragraph does not include circumstances within the control of counsel or the party. Any application not in compliance with this paragraph will be denied. Failure to comply with the terms of this Order may also result in sanctions.

8. All applications to the Court must comply with this Court's individual practices, which are available through the Clerk's office or at: [http://www1.nysd.uscourts.gov/judge\\_info.php?id=67](http://www1.nysd.uscourts.gov/judge_info.php?id=67). Discovery applications—that is, any application or motion pursuant to Rules 26 through 37 or 45—not only must comply with ¶2.A. of the Court's Individual Practices but also must be made promptly after the cause for such an application arises. In addition, absent extraordinary circumstances no such application will be considered if made later than thirty (30) days prior to the close of discovery. Untimely applications will be denied.

SO ORDERED:

Dated: New York, New York  
August 25, 2008



GABRIEL W. GORENSTEIN  
United States Magistrate Judge